

## REMARKS

### I. Introduction

In response to the Office Action dated February 28, 2002, claim 15 has been amended. Claims 15-22 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

### II. Double Patenting Rejection

In paragraph (5) of the Office Action, claim 15 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 5,699,526 in view of Pisello et al., U.S. Patent No. 5,495,607 (Pisello) and Miller et al., U.S. Patent No. 5,475,819 (Miller).

Applicant's attorney respectfully traverses this rejection in view of new claims 15-22, but will file a terminal disclaimer if necessary upon an indication of otherwise allowable claims.

### III. Prior Art Rejections

#### A. The Office Action Rejections

In paragraph (6) of the Office Action, claims 15-20 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pisello in view of Miller. In paragraph (7) of the Office Action, claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Pisello in view of Miller as applied to claim 15 and in view of Terry et al.

Applicant's attorney respectfully traverses this rejection.

#### B. The Applicant's Independent Claim

Independent claim 15 is generally directed to a resource management system. A plurality of servers are grouped into interconnected regional servers and local servers, wherein the regional servers serve a region and hold one or more profiles for resources associated with the local servers within the region. The resources are classified as physical resources and soft resources, wherein the physical resources are not downloadable from the local servers and the soft resources are downloadable from the local servers. Each of the resources has at least one of the profiles associated therewith, wherein each of the profiles includes a description and a location of the associated resource, and wherein each of the profiles, when created, is assigned to a category. One or more user computers are interconnected with the regional and local servers, and include means for

storing the profiles of the resources into one or more of the regional servers, means for searching the profiles stored in the regional servers by category, and means for requesting delivery of the resources associated with the local servers based on the searched profiles.

C. The Pisello Reference

Pisello describes a network management system that includes a domain administrating server (DAS) that stores a virtual catalog representing an overview of all files distributively stored across a network domain currently or in the past. The current and historical file information is used for assisting in auditing or locating files located anywhere in the domain. The current file information is used for assisting in transferring files across the domain. The domain administrating server (DAS) also includes a rule-base driven artificial administrator for monitoring and reacting to domain-wide alert reports and for detecting problematic trends in domain-wide performance based on information collected from the network domain.

D. The Miller Reference

Miller describes a distributed computing system using a data communications network may have a number of service providers for a given service or remote procedure call. A client on the network makes reference to a name service to obtain the network address of one of these service providers. The name service maintains for each client or group of clients a configuration profile of the service providers in order to resolve the issue of selecting one of the several service providers when a request is made. A single configuration profile is a priority-ordered search list that maps from a service identifier (e.g., remote procedure call interface specification) into service provider (e.g., remote procedure call server) names. A configuration profile may include names for individual service providers, and/or named groups of service providers, and/or other configuration profiles. Configuration profiles are stored in a manner that makes them accessible throughout the distributed system, e.g., in the name service. Configuration profiles may be chained together by referencing other configuration profiles to provide a hierarchy of configuration profiles.

E. The Terry Reference

The Terry reference describes continuous queries to append-only databases. Where data is continuously added to a database, users can issue permanent queries and be notified whenever data matches the query.

F. Claims 15-22 Are Patentable Over The Cited References

Applicant's attorney respectfully submits that independent claim 15 is patentable over the references, because this claim contains limitations not found in the references. Specifically, independent claim 15 recites a specific combination of structure and functions not shown by the references.

For example, Pisello describes a virtual catalog representing an overview of all files distributively stored across a network domain currently or in the past. However, the virtual catalog of Pisello only stores information on non-physical resources, i.e., files, as admitted in the Office Action.

Nonetheless, the Office Action asserts that Miller includes physical resources, e.g., hardware facilities such as printers and disks. However, nothing in Miller describes storing profiles for both soft and physical resources, wherein user computers search for profiles of the physical and software resources stored in the regional servers by category, and request delivery of both the physical and soft resources associated with the local servers based on the searched profiles. Certainly, nothing in Miller describes the delivery of its physical resources, e.g., hardware facilities such as printers and disks.

Thus, even when combined, Pisello and Miller do not teach Applicant's claimed invention. In fact, it would only be with hindsight for the Office Action to maintain that the combination of references renders obvious Applicant's independent claim 15.

The deficiencies of Pisello and Miller are not overcome by the Terry reference. Recall that Terry was only cited against dependent claim 21. Moreover, the Terry reference merely deals with continuous queries of a database.

Thus, taken individually or in any combination, the references do not teach or suggest that the resources are classified both as physical resources and soft resources, wherein the physical resources are not downloadable from the local servers and the soft resources are downloadable from the local servers.

Moreover, the references do not teach or suggest that each of the resources has at least one of the profiles associated therewith, and each of the profiles includes a description of the resource and a location of the associated resource, and wherein each of the profiles, when created, is assigned to a category.

Finally, the references do not teach or suggest a plurality of servers grouped into interconnected regional servers and local servers, wherein regional servers serve a region and hold

one or more profiles for resources associated with the local servers within the region. There is no recognition of "regional servers" and "local servers" in the references, nor is there any discussion of their respective functions of storing profiles in the regional servers and associating resources with the local servers within the region.

The novel limitations of the present invention allow for a client-server system that is more interchangeable and useful than those described in the prior art. Moreover, the various elements of the Applicant's claimed invention together provide operational advantages over the systems disclosed in the prior art. In addition, the Applicant's invention solves problems not recognized by the prior art.

Thus, the Applicant submits that independent claim 15 is allowable over Pisello, Miller and Terry. Further, dependent claims 16-22 are submitted to be allowable over Pisello, Miller and Terry in the same manner, because they are dependent on independent claim 15, and thus contain all the limitations of the independent claim. In addition, dependent claims 16-22 recite additional novel elements not shown by Pisello, Miller and Terry.

#### IV. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Applicant

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: 5/28/02

By: fxH/TB  
Name: George H. Gates  
Reg. No.: 33,500

GHG/amb

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**APPENDIX: VERSION WITH MARKINGS TO SHOW CHANGES MADE**

15. (AMENDED) A resource management system, comprising:

(a) a plurality of servers grouped into interconnected regional servers and local servers, wherein the regional servers serve a region and hold one or more profiles for resources associated with the local servers within the region;

(b) the resources being classified as physical resources and soft resources, wherein the physical resources are not downloadable from the local servers and the soft resources are downloadable from the local servers;

(c) each of the resources having at least one of the profiles associated therewith, wherein each of the profiles includes a description and a location of the associated resource, and wherein each of the profiles, when created, is assigned to a category; and

(d) one or more user computers interconnected with the regional and local servers, and including means for storing the profiles of the resources into one or more of the regional servers, means for searching the profiles stored in the regional servers by category, and means for requesting delivery of the resources associated with the local servers based on the searched profiles.